

Disorder Offence: Offender Was A Victim; Police Officer Becomes Victim; How Was Humanity Regained?

A woman in her forties was drunk and disorderly in police station and needed to explain how much despair she felt after her last encounter with the Criminal Justice System

Jenny, a woman in her forties, walked into the police station and was drunk and abusive, expressing her anger with the criminal justice system in ways that led to her being arrested and charged with disorder. Whilst the Probation Officer was working on writing a pre-sentence report for the court it became clear that she wanted to express to the Woman Police Constable (Alison), who arrested her, what had led up to her being so abusive. A mediator was contacted and it was noted that the local police force had already reached an understanding about enabling police officers to attend mediations as individual victims of crimes. A couple of sessions were spent with the offender (Jenny) letting her talk her way through the horrendous experiences she'd had. What Jenny wished to express was the depth of her despair at how lightly the criminal justice system had treated the physical and sexual abuse she and her daughter had suffered from her ex-partner, Dave. Following his being given only a short custodial sentence, Jenny's daughter, Anne, frightened that the sentence was so short and fearful of Dave, committed suicide. Jenny blamed both Dave and the criminal justice system for her death. The day after Jenny was contacted by the probation service (after Dave had served just a few months'

sentence) to be told that only half of the prison sentence was being served by Dave, she got drunk and went to the police station to vent her anger. The mediator spoke to Alison, the victim of the disorder offence about whether she wanted to hear from or talk to Jenny. She both wanted to understand what had provoked the incident and to explain what her job was when such behaviour occurred at the police station. First Alison felt the need to contact her senior officer who was happy for a mediation to go ahead.

The Joint Meeting

The meeting was held in the Family Court Welfare Office which was regarded as a neutral venue, very close to the police station in question and close to where the offender lived. The

mediator introduced Alison and Jenny, explained that Jenny (the offender) had asked if this meeting would be possible and that the victim (Alison) agreed to it. I had already explained to Jenny that I would ask her to speak first at the meeting, which I did. And they just took it from there and took 2 or 3 hours to talk it through. Jenny explained that she doesn't normally behave like that. She got very emotional and told the Police Officer that she'd gone out and got herself into a state that night. She explained how she felt about the fact that Dave was coming back out of prison. Jenny explained what had happened to her daughter and it was fairly clear that it had been a struggle to get over that. Alison expressed that she was very pleased to both have met Jenny in the context of a mediation and to have found out what it was all about. Alison explained that she had no alternative but to arrest Jenny on that night. Once she had arrested her there was no way that anything could have stopped the progression of the paperwork. So she explained the reality of the system in relation to this offence and what would inevitably happen if Jenny did anything like that again. Alison said it must seem grossly unfair. Alison agreed that prosecutions for a series of sex offences – such as Jenny and Anne had been victims of – often didn't acknowledge the full extent of the offending that had been committed against them. Alison said that the police often shared a similar frustration in that they work hard and put cases through the courts and then feel that they have been let down by other parts of the system. Jenny fully accepted that there was nothing else that Alison could have done that Saturday night, and her concern was that she didn't want to leave her mark as being the dishevelled, disorientated, abusive person who had appeared in the police station lobby that night. She wanted to leave a different impression. She wanted to explain that in the light of sober reality she knew that she couldn't, and didn't want to, accuse this police officer of anything but she did want Alison to know why she had felt the need to go into a police station like that. In summary an explanation of the offending was given and accepted, and an explanation about the system was also given in the other direction. They came to terms with the reality even though the offender still felt let down by the criminal justice system in relation to her ex-partner. The one specific request from Alison was that she wanted to receive news of the court case outcome, as this information would not usually come to her. The mediator let Alison know that she would keep her informed.

The Outcomes

In terms of the pending court case, it was known to both victim and offender that the outcomes of the meeting would be reported back to the court and there was some discussion of what

words would be used. The case went to court for this offence alongside another couple of offences which were also associated with Jenny being unable to cope with what had happened to her as the victim of severe abuse and violence. Jenny was sentenced to a two year Community Rehabilitation Order, which was geared to assist her to begin to find a way out of the difficulties that were giving rise to offences.

- The mediator saw the offender after the court case and also relayed news of the sentence to the victim. She checked that they were OK and that there was nothing further that they wanted to exchange between them.
- The mediator kept in contact with Jenny until about six months into sentence, where she just checked that everything was OK. The offender wanted the police officer to know that she was a lot better and doing reasonably well on the order. The police officer wanted Jenny to know that she hadn't forgotten about it all and she still sent her her best wishes. Alison hoped that Jenny would be able to get a lot more out of her life than she was getting.
- This mediation was a stage in helping Jenny to look at different ways of dealing with her anger.
- The mediation process achieved what every mediator values in terms of humanisation. The dehumanising elements of criminal justice (lack of work with victims) were both the cause and substance of the restorative work.